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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,141	08/22/2000	Stephen F. Gross	M 6636 CC/CSAP	8795

23657 7590 04/10/2003

COGNIS CORPORATION  
2500 RENAISSANCE BLVD., SUITE 200  
GULPH MILLS, PA 19406

EXAMINER
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CARRILLO, BIBI SHARIDAN

ART UNIT	PAPER NUMBER
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1746

13

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/643,141

Applicant(s)

GROSS ET AL.

Examiner

Sharidan Carrillo

Art Unit

1746

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 April 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the reasons set forth herein.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
**SHARIDAN CARRILLO**  
**PRIMARY EXAMINER**

Sharidan Carrillo  
Primary Examiner  
Art Unit: 1746

*Advisory Action*

1. In view of applicant's arguments, the rejection of the claims, under 35 U.S.C. 112, second paragraph is withdrawn. All other rejections remain pending.
2. Applicant argues that the claims are not anticipated by Stevens because Stevens fails to teach a terpene-free composition and an oil-soluble surfactant. Applicant's arguments are unpersuasive for the reasons set forth in paragraph 12 of the previous Office Action of 1/13/03.
3. Applicant further argues that Stevens fail to teach the amount of the oil-soluble and the water-soluble surfactants. Applicant's arguments are unpersuasive for the reasons set forth in paragraph 13 of the previous Office Action of 1/13/03.
4. Applicant argues that the prior art of Stevens fails to teach using the composition to clean hard surfaces. Applicant is directed to col. 14, lines 1-3 of Stevens which specifically teaches that the composition can be used to clean machinery and tools, the teachings of which read on the limitations of "cleaning a hard surface".
5. Applicant further argues that it would not have been obvious to modify the reference of Stevens to include isopropyl amine salt of dodecylbenzene sulfonic acid. Applicant's arguments are unpersuasive for the reasons recited in paragraph 15 of the previous Office Action of 1/13/03.
6. Applicant's arguments filed 4/3/03 have been considered and found persuasive in part with respect to the 112, second paragraph issues. The prior art rejections are maintained for the reasons discussed above.
7. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Sharidan Carrillo whose telephone number is 703-308-1876.

The examiner can normally be reached on M-F, 6:30am-3:00pm.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 703-308-4333. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7719 for regular communications and 703-308-7719 for After Final communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Sharidan Carrillo  
Primary Examiner  
Art Unit 1746

bsc  
April 10, 2003



SHARIDAN CARRILLO  
PRIMARY EXAMINER